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of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9
OF THE CONVENTION

Thirteenth periodic reports of States parties due in 1995

Addendum

Norway*

[5 November 1996]

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* This document contains the twelfth and thirteenth periodic reports, consolidated in one document, which were due on 5 September 1993 and 5 September 1995, respectively. For the tenth and eleventh periodic reports of Norway, submitted in one document, and the summary records of the meetings at which the Committee considered the reports, see CERD/C/210/Add.3 and CERD/C/SR/1032-1033.

The information submitted by Norway in accordance with the consolidated guidelines for the initial part of the reports of States parties is contained in the core document (HRI/CORE/Add.6).

The annexes to the report and comments by non-governmental organizations provided by the Government of Norway may be consulted in the Secretariat's files.

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Introduction

1. Reference is made to Norway's previous periodic reports, in particular to the tenth and eleventh reports, submitted in one document (CERD/C/210/Add.3) and the concluding observations of the Committee on the Elimination of Racial Discrimination concerning those reports (CERD/C/44/Misc.11). During the preparation of the present report, due regard has been paid to the general guidelines regarding the form and contents of reports to be submitted by States parties under article 9, paragraph 1, of the Convention, revised by the Committee at its 913th meeting on 22 March 1991 (CERD/C/70/Rev.2).

2. The present report is largely devoted to an account of measures and plans of action to combat racism and ethnic discrimination that have been adopted since the examination of the tenth and eleventh periodic reports. The suggestions and recommendations made by the Committee in their concluding observations on those reports have been taken into account. To assist the Committee in fulfilling the tasks entrusted to it in accordance with article 9 of the Convention, reference is made to previous documents containing information of relevance to the examination of the present report.

3. Before the present report was finalized, a draft was submitted for comment to the Government's Advisory Committee on Human Rights' Working Group on UN-related Issues. The Chairman of the Working Group invited representatives of the Liaison Committee between Immigrants and Norwegian Authorities (KIM) and relevant NGOS to a meeting to consider the draft report. Following the meeting, the Ministry of Foreign Affairs received written comments from KIM and the participating NGOs. Certain amendments have been made to the report in light of the comments received. However, in order to avoid further delay in submitting the present report, the Government has decided to transmit the comments from KIM and the NGOs to the CERD Committee rather than to undertake a full revision of its twelfth and thirteenth reports. The comments will be given further consideration by the Government when preparing its fourteenth periodic report. In particular, the Government will consider how one might improve the dialogue with NGOs and governmental advisory bodies when elaborating future CERD reports.

PART I. GENERAL

4. The general legal framework within which racial discrimination is prohibited has been described in previous reports (see, for example, the third periodic report (CERD/C/R.78/Add.9), as well as in the initial part of the reports submitted by Norway, known as the "core document" (HRI/CORE/1/Add.6). However, some major new developments can be reported. On 15 July 1994, a new article 110 (c) was inserted into the Constitution, which reads as follows:

> "It is incumbent upon the authorities of the State to respect and to ensure human rights. Further provisions concerning the implementation of treaties thereon shall be laid down by statute."

This constitutional provision will be followed by an "Incorporating Act", where certain international human rights conventions will be incorporated in Norwegian legislation.

Demography

5. Norway has, until recently, been a largely homogeneous society, both ethnically and linguistically. The vast majority of the population is of Norwegian national origin. The main established minority group is the indigenous Sami population. Other settled minorities include Finno-ethnic groups, Romas and a Jewish community.

6. Two organizations representing so-called Travellers (tater) have presented claims to be officially recognized as an ethnic minority and have recently applied for State funding of their cultural activities.

7. Accurate demographic statistics on Sami population size and distribution are largely unavailable. The results of any census will depend on the operational definition of Sami. Officially, "Saminess" has in recent years been defined on the basis of a combination of linguistic and subjective criteria.

8. It is estimated that between 30,000 and 40,000 Sami live in Norway. The largest concentrations of Sami live in Kautokeino, Karasjok, Tana, Nesseby and Porsanger, all of which are municipalities in the northernmost parts of Norway.

9. The Finno-ethnic minority population is estimated at about 2,000 persons, the Jewish population at about 1,000 and the Roma population at about 350.

10. A generation ago, there were about 60,0000 foreign-born immigrants in Norway. By 1 January 1995 the immigrant population had increased to 219,966. This amounts to 5.1 per cent of a total population of 4.3 million people. Until 1986 the net immigration of foreigners to Norway was around 5,000 annually. In 1987, 1988 and 1993 there was a sharp increase in the number of foreign nationals coming to Norway. This was mainly due to the high number of persons applying for asylum in Norway. So far in the 1990s more than half of the immigrants from Africa, Asia and Latin America have come from refugee situations. The rest are mostly persons arriving for family reunification.

11. The term "immigrant population" is defined as persons residing in Norway with two foreign-born parents. This means that both first generation and second generation immigrants are included if both parents are foreign born. As of 1 January 1995 the number of first generation immigrants in Norway was 190,700 and the number of second generation immigrants was 29,300.

12. The immigrant population as of 1 January 1995 (Source: Statistics Norway) was:

Europe, total:		119 346
Of which:		
Denmark		18 871
Sweden		15 816
United Kingdom		11 375
Bosnia Herzegovina		8 274
Turkey		8 054
Germany		7 575
Poland		5 619
Finland		4 506
	Others:	39 256
Africa, total:		17 718
Of which:		
Morocco		4 189
Somalia		3 997
Ethiopia		2 271
Ghana		1 323
	Others:	5 938
Asia, total:		62 582
Of which:		
Pakistan		18 767
Viet Nam		13 329
Iran		7 811
Sri Lanka		7 114
India		5 182
Philippines		4 561
	Others:	5 818
North and Central America, total:		11 357
Of which:		
United States		9 165
Canada		1 174
Mexico		216
	Others:	802
South America, total:		8 121
Of which:		
Chile		5 954
Brazil		555
Colombia		339
	Others:	1 273
Oceania, total:		842
Total immigrant population		219 966

13. As of 1 January 1994, there were 54,400 foreign-born persons with refugee backgrounds in Norway. This number includes reunited family members.

14. About 50 per cent of the immigrant population in Norway reside in the 10 largest municipalities. Forty-five per cent of the immigrants who do not come from Europe or North America, reside in Oslo. Fifteen per cent of the total population of Oslo are immigrants. The figures for the other large towns are: Drammen 9, Stavanger 9, Kristiansand 7, Bergen 5 and Trondheim 4.5 per cent.

15. Hereafter the concept "persons of immigrant origin" will be used, rather than "immigrant population" defined in paragraph 11 above. "Persons of immigrant origin" is a wider concept which, in addition to persons with foreign-born parents, includes persons adopted from foreign countries, persons born abroad with one Norwegian-born parent or persons born in Norway with one foreign-born parent.

16. Nine thousand eight hundred persons have been adopted from foreign countries, 14,000 persons were born abroad with one Norwegian-born parent and 123,000 persons were born in Norway with one foreign-born parent.

Main policy principles

17. The Norwegian government policy in the field of the elimination of racial discrimination is aimed at achieving genuine equal status between persons of immigrant origin and Norwegians. As far as possible, persons of immigrant origin are to have the same opportunities, rights and obligations as the rest of the population. This implies that persons of immigrant origin should be able to participate in society - without meeting demands for cultural assimilation.

18. In some fields, achieving the goal of equal status between persons of immigrant origin and Norwegians requires special measures (such as language training) aimed at reducing inequalities between persons of immigrant origin and Norwegians. The principles of cooperation, reciprocity and tolerance between persons of immigrant origin and Norwegians are fundamental. If these principles are to be realized, this will require, inter alia, measures to promote participation in public life and measures to combat all forms and expressions of racial discrimination, xenophobia and racism.

19. Persons of immigrant origin are on an equal footing with other inhabitants in the sense that they must accept the laws which prevail in Norway, regardless of their personal views. Any violations of Norwegian law, including topics such as women's rights, cannot be accepted. On the other hand, in achieving the goal of equal status, respect for the immigrant's language and culture should prevail.

20. Racism and xenophobia are complex phenomena and require a comprehensive and simultaneous approach. The definition of these phenomena and the understanding of their causes are important because it has consequences for the formulation of measures. It has therefore been important for the Norwegian Government to gain an understanding of these phenomena. The Government believes that it is important to broaden the definition of racism

and discrimination to include not only single, isolated cases of direct discrimination and racism, but also processes that lead to the marginalization of persons of immigrant origin, for example, seemingly neutral policies and practices by all levels of central and local authorities and all types of private enterprise which lead to the marginalization of persons of immigrant origin in the society.

21. Through the Plan of Action to Combat Racism and Ethnic Discrimination (reference is made to Norway's eleventh periodic report, para. 77) special emphasis has been placed on the following measures:

The development of better instruments for measuring racial discrimination, including racial violence and harassment;

Increasing awareness of racial harassment as a social problem;

Efforts to educate key personnel to improve public services to ethnic minorities;

Systematizing local experiences in order to disseminate important information to other local communities;

Working to promote positive relations between persons of immigrant origin and Norwegians, especially by mobilizing young people to combat racism.

22. This plan of action has been a useful instrument in the Government's efforts to combat racism and racial discrimination. The plan has put racism and racial discrimination high on the agenda, given direction to this important task and pointed out priority measures.

23. The plan of action has been an instrument to make the Government's policy in this field explicit and has thus informed other actors and those affected by racial discrimination about the policy.

24. The Ministry of Local Government and Labour, Department of Immigrant and Refugee Affairs will, during the first half of 1996, begin revising the plan of action in order to update and adapt it in the light of recent experience and new knowledge.

25. When it comes to devising an effective policy against racism, the Government has drawn on its experience with the Plan of Action to Tackle Acute Situations of Racial Violence and Harassment in a Local Community (the "Brumunddal Plan of Action"). This plan was drawn up in response to an acute local situation and emphasizes youth activities and other preventive measures at local and central government levels. One central lesson is that racism cannot be seen as isolated from other problems in society. There is a connection between a society's ability to deal with marginalized groups in general and its ability to deal effectively with acts of racism and xenophobia. The Government therefore views an effective welfare policy that

includes all groups in society and that aims at giving as far as possible the same opportunities to all as perhaps the most effective instrument for combating racism and xenophobia.

26. The Government has decided to prepare a white paper on all aspects of the policy directed towards immigrants' integration and multicultural aspects of Norwegian society. The white paper will be submitted to the Parliament by the end of 1996.

Disseminating information

27. As for bringing the Norwegian policy to combat racism and racial discrimination to the attention of persons of immigrant origin, the main principles of Norwegian immigration policy in general and the policy to fight racism, xenophobia and racial discrimination in particular are described in various documents and papers, which of course are public.

28. The Norwegian authorities also seek to attract attention to the policy in this field through cooperation with organizations that represent the interest of persons of immigrant origin, and through participation in seminars and conferences arranged by these organizations.

29. The Liaison Committee between Immigrants and the Norwegian Authorities (KIM), where both persons of immigrant origin and the Norwegian authorities are represented, serves among other things as a body for disseminating and discussing Norwegian policy in this field. (For further information on the Liaison Committee, see para. 77 above. Reference is also made to Norway's eleventh periodic report, para. 62.)

30. In December 1994 the Ministry of Local Government and Labour arranged a hearing on racism and ethnic discrimination. The hearing had three main purposes: to obtain a general overview of the problem, to hear the participants' reactions to the Government's policy (the participants were asked to comment upon the Government's answer to the European Commission against Racism and Intolerance (ECRI) questionnaire), and to inform the participants of the measures taken by the Government to counteract racism and racial discrimination. The Anti-Racist Centre, the Norwegian Association of Asylum Seekers (NOAS), the Association against Public Discrimination (OMOD) and the Liaison Committee between Immigrants and the Norwegian Authorities (KIM) were among the organizations represented, in addition to representatives of the Government.

31. With regard to bringing the policy to the attention of those who have to implement it, it should be recalled that the Directorate of Immigration is responsible for implementing several aspects of the Norwegian integration policy, including the policy to combat racism and xenophobia and information and attitude-shaping activities.

32. The Directorate of Immigration cooperates extensively with various organizations in order to create positive relations between persons of immigrant origin and Norwegians. In order to reach actors on the local level, the Directorate has in the past few years developed a network strategy. This strategy consists of using existing personal, social and organizational

networks to reach people in their everyday social activities and in this way inform and activate teachers, leaders and members of organizations and other relevant actors.

33. The experience gained from the Plan of Action to Tackle Acute Situations of Racial Violence and Harassment in a Local Community (see para. 25) will be disseminated to local authorities, organizations and other actors through the final report and other reports presenting research that has been commissioned in connection with this project (see paras. 37-41 for further information).

Organization

34. At government level, several Ministries deal with matters concerning racial discrimination, xenophobia, intolerance and racial violence and harassment. The Ministries that are most frequently involved include the Ministry of Local Government and Labour, the Ministry of Justice, the Ministry of Children and Family Affairs, the Ministry of Education, Research and Church Affairs and the Ministry of Cultural Affairs.

35. The Ministry of Local Government and Labour has overall responsibility for devising and developing the Government's policy for combating racism and racial discrimination. This Ministry implements its own measures and coordinates measures initiated by other ministries. The Directorate of Immigration has responsibility for the practical implementation of any coordination measures the Ministry of Local Government and Labour decides to introduce. The Directorate also coordinates measures that are the responsibility of other sectors at a lower level (labour market, education, health, housing, etc.).

Evaluation

36. A general evaluation of the total effect of the measures implemented to combat racism and racial discrimination has not been carried out. However, some of the measures set out in the Plan of Action to Combat Racism and Ethnic Discrimination have been evaluated. A teaching programme, "Norway as a Multicultural Society" (see para. 74 below for further information), has been developed in order to improve the education of key personnel in public services. This programme was evaluated by the Directorate of Immigration. A majority of the users of the teaching programme were of the opinion that it was a useful tool, but several also made helpful suggestions for improvement.

37. Through the Plan of Action to Tackle Acute Situations of Racial Violence and Harassment in a Local Community ("the Brumunddal Plan of Action") (see para. 25), local experience of tackling an acute situation of racial violence and harassment has been systematized and evaluated by the Norwegian Institute of Urban and Regional Research. A final report on the project was published in September 1995. It has been distributed to the police authorities at the central and regional levels, and to all the municipalities and local communities in Norway.

38. Some of the conclusions in the report are:

It is important not to minimize the problems of racial violence and harassment;

Cooperation between the municipal authorities and the refugees is important;

A survey and an analysis of the problems should be undertaken;

The local political and administrative leaders should take a clear stand against racist actions and attitudes;

The leadership and example of political leaders nationally and locally have a great influence on public opinion;

It is necessary to mobilize the local population to fight racism;

The police have an important role to play and must take all incidents of racist violence and harassment seriously;

The local administration must cooperate with the police.

39. The Brumunddal Plan of Action has generated several positive results. Those who have been harassed, either because of their immigrant background or their positive stand against racism, are experiencing a significantly marked decrease in such activity. On a more long-term basis the local administration has realized that there is a need to adopt a perspective whereby the problem of young perpetrators who have harassed local persons of immigrant origin and persons who have spoken out against racism is viewed as a structural problem, and not an isolated problem or incident. This has implications for the way in which the local administration organizes its youth programmes in the future. More specifically, there is a need to focus on how to prevent the marginalization of youth in the local community.

40. A national conference summing up the experience gained from the Brumunddal Plan of Action was held in the autumn of 1995 and attended by around 200 people. The main conclusions of the conference were that the measures implemented as part of the plan have helped to improve conditions in the community, and that other local communities can learn, both from the mistakes that were made and from the measures that had a positive effect on conditions in the community.

41. It is believed that the experience gained through a situation like the one in Brumunddal can be identified, consolidated and made available on a national basis, and that similar crises can then either be avoided or solved more efficiently and without violence. An advisory team to combat racial violence and harassment has therefore been established as a follow-up measure to the national conference. When a difficult situation arises in a community, the team can be contacted directly by the municipality and employed as consultants. The team can also act as consultants for local communities that wish to try to prevent racial violence and harassment.

Racial discrimination/racist attitudes

42. There are no complete official records of incidents of racial discrimination in Norway. It is therefore impossible to make an accurate statement on recent developments concerning these problems. The Ministry of Local Government and Labour has commissioned research in order to increase knowledge in this field. However, since there are several methodological problems related to the collection of data on racial discrimination, the Ministry of Local Government and Labour took the initiative to arrange a seminar in order to build up the methodological competence of researchers. The seminar was held in Bergen in January 1996 and was attended by about 20 researchers. The Ministry is also planning to develop indicators on racial discrimination in order to have a statistical basis for evaluating measures implemented, and to achieve a better understanding of the development of these problems.

43. Recently, questions relating to immigration and the Norwegian policy of integration have become an important subject of public debate. This is partly due to a greater degree of openness concerning these questions than only a couple of years ago. This tendency in the public debate has to some extent served to legitimize the expression of negative attitudes towards the immigration policy. The positive aspect of this development is that it has led to a more frank discussion of Norwegian policy in the field. The negative aspect is, of course, that an increase in extremist utterances may lead to negative relations between persons of immigrant origin and Norwegians, and a growing tendency among persons of immigrant origin to withdraw from Norwegian society.

44. A research study on the attitudes of the electorate prior to the Norwegian general election in 1993 was published in 1995. This study shows that more than a fourth of the electorate are opposed to immigration, and a majority of these are of the opinion that immigrants represent a threat to Norwegian culture.

45. Since 1993, Statistics Norway has carried out a yearly survey on attitudes towards immigrants and immigration policy. The survey carried out in 1994 shows no major changes in these attitudes compared with previous years. One exception is that in 1994 there was greater goodwill in the Norwegian population towards receiving refugees compared with 1993; 49 per cent of those interviewed in 1993 were of the opinion that Norway should accept refugees to at least the same extent as before. In 1994 the percentage was 54.

46. There are a number of small anti-immigrant organizations in Norway, and some of them have links to neo-Nazi organizations in Sweden and Germany. These organizations occasionally publish their own newspapers and an anti-immigrant radio station has been operating in Oslo (Radio Nite Rocket). In July 1995 there was a gathering of neo-Nazis and other extreme right-wing groups in Hokksund, a small town 60 km outside Oslo.

47. On several occasions in the 1980s and 1990s, "anti-immigrants" and anti-racists have ended up in fights after public demonstrations.

48. Non-organized manifestations of racial discrimination in Norway occur mostly in the form of denial of goods and services (entry to restaurants, pubs, etc.), threats against persons of immigrant origin and people who have taken an active stand against racism (telephone calls, letters, etc.), propaganda (pamphlets, letters to the editor in newspapers, etc.), graffiti ("Norway for Norwegians" etc.) and "everyday racism", i.e. expressions of negative attitudes in daily encounters in the streets, workplaces, schools, etc. According to the experience of anti-racist organizations, the most common non-organized incidents of racial discrimination occur in the labour market and the housing market and in connection with the denial of goods and services, such as exclusion from restaurants and commercial establishments.

49. Allegations of discriminatory behaviour on the part of representatives of the public authorities have been put forward by immigrants, particularly by persons of immigrant origin from Africa, Asia and Latin America. They complain that they are checked more often and more thoroughly than others at the immigration and customs checkpoints at Norwegian airports and other points of entry. They also complain that they are stopped and their identification papers checked more often than others by the police in public places. Even if there is little or no documentation on these problems, the Norwegian authorities take these complaints very seriously. The police and customs officers have therefore been target groups for measures by the Directorate of Immigration to ensure that the public authorities develop cross-cultural understanding and the ability to communicate across cultural lines. The Ministry of Justice is currently examining the way controls of foreign nationals are carried out by the police. The results of this investigation may lead to new and improved routines.

50. Allegations of discriminatory behaviour and attitudes on the part of the health authorities have recently been put forward by several organizations representing Africans in Norway. They complain of the fact that Africans have been portrayed by the National Board of Health as the largest risk factor when it comes to the heterosexual spread of the HIV virus in Norway. The Ministry of Health and Social Affairs takes these complaints very seriously, and has under consideration a plan to improve cooperation with African NGOs to prevent the spread of HIV and other sexually transmitted diseases. The authorities consider it crucial that future work on HIV/AIDS-prevention among Africans and other ethnic groups should be based on the knowledge, experience and understanding that the groups concerned possess. Consequently, these groups should be directly involved in practical health promotion and prevention work, and if possible, in concrete projects.

PART II. INFORMATION RELATING TO ARTICLES 2 TO 7

Article 2, paragraph 1

Measures taken to ensure that public authorities and public institutions engage in no acts of racial discrimination

51. The Ministry of Government Administration is responsible for the training and development of government officials at the central level. The training activities are carried out by the Directorate of Public Management, which is an agency that is subordinate to the Ministry.

52. The Directorate of Public Management has for several years run courses which cover subjects such as "Norwegian for foreigners" and "Cross-cultural awareness". The intention has been to improve the language skills of foreigners employed in the government sector, and to enhance the awareness of cultural differences in order better to master the task of interacting with people of foreign origin.

53. In 1995 the Directorate arranged a seminar entitled "Recruitment of immigrants - A management responsibility". The target group of the seminar was line managers and human resource management officials, and the objective was to influence government employers to utilize the resources of the immigrants better. This seminar will be repeated this year.

54. The Directorate is now planning how to make subjects pertaining to immigrants' resources an integral part of other training activities, in particular those arranged for line managers and human resource management officials.

55. The educational programme of the National Police Academy in Norway includes lectures on, among other things, minority groups, cultural understanding and immigration law. In addition, the Police Academy offers a special course on different ethnic groups and understanding foreign cultures for police recruits and police officers.

56. If a police officer violates the provisions on racial discrimination, or behaves in a discriminatory manner, the Complaints Investigation Commission may be called in to deal with the case. In the case of less serious offences a police officer may be reported to Police Headquarters or to the Ministry of Justice. One of the main issues discussed at the Nordic Conference of Chiefs of Police in August 1995 was how the police deal with ethnic minority groups. This demonstrates that the Norwegian police give high priority to this issue.

57. The Directorate of Customs and Excise has started a process aimed at increasing the individual custom officer's cross-cultural understanding. The subject of cross-cultural understanding has been included in the curriculum and lectures at the National Customs Academy. In order to ensure correct and ethnically responsible customs control, the Directorate has also developed an education programme for civil servants involved in drug control.

58. Training for prison officers includes lectures on the multiracial prison environment. Lectures are given in the following subjects:

The multicultural prison population inside and outside the prison;

Culture and understanding;

Communication and language difficulties;

Muslims in custody in Norwegian prisons;

Ethical dilemmas.

59. If the inmates in a prison have any complaints relating to racial discrimination, they may forward them to the prison director and the Prison Board.

60. The efforts by the armed forces to prevent racial discrimination are mainly concentrated on education and information programmes. The information programmes start before the individual soldiers meet for registration and medical examinations, and run during their entire military service.

61. The armed forces are producing a videotape about some ethnic minority groups which inter alia deals with their cultures and religions. This film is intended to be used for education and information purposes.

62. A special educational programme concerning these issues has been developed for use in the military academies and schools for non-commissioned officers.

63. For conscripts these issues are included in the chaplain's ethics lectures throughout their military service. In addition to these important educational programmes, the armed forces have made use of the established spokesman system in order to prevent discrimination.

64. In cases of racial discrimination in a unit, it is the local commander's duty to stop it. So far, no cases of such discrimination have been reported to the central authorities. However, the possibility that instances of discrimination with racial undertones occur locally cannot be excluded.

65. Principles combating discrimination have been incorporated into the laws and overriding goals of the school system. These principles are emphasized in the Core Curriculum for Primary, Secondary and Adult Education in Norway (1993), which sets out the aims and principles of the educational system and states that education should counteract prejudice and discrimination, and foster mutual respect and tolerance between groups with different ways of life.

66. The Core Curriculum establishes the following basic principle for the educational system: "The school system embraces many pupils from groups which in our country constitute minority cultures and languages. Education must therefore convey knowledge about other cultures and take advantage of the potential for enrichment represented by minority groups and Norwegians with a different cultural heritage. Knowledge of other peoples gives us a chance to test our own values and the values of others."

67. To enhance knowledge of a multicultural Norwegian society among teachers and other personnel, the Ministry of Education, Research and Church Affairs has drawn up guidelines (general plans) for in-service training of teachers and advisers in the field of multicultural education.

68. The Ministry of Education has not carried our particular measures to counter racism among the teaching staff at universities, colleges and other academic institutions.

69. One of the features emphasized in the curriculum for the education of pre-school teachers, established by the Ministry of Education, Research and Church Affairs, is the special responsibility that child-care institutions have for children whose cultural backgrounds differ from that of Norwegian children. The Ministry of Children and Family Affairs presented a curriculum for child-care institutions in autumn 1995. This curriculum emphasizes the equal status of children from different cultures and underlines the positive aspects of cross-cultural child-care institutions. Child-care institutions are managed by the local authorities which are responsible for ensuring that the institutions are run in accordance with the Kindergarten Act and the national curriculum. The Ministry has received no reports of discrimination in child-care institutions.

70. In the context of the reforms in secondary education in Norway (see para. 172 below), the curriculum for health and social studies has been revised. Students are being trained to provide services to people of different ethnic backgrounds. Similar plans for the college level are being discussed and a revision of the curriculum is planned.

71. User-participation is an important pillar of all the health and social services in Norway. By taking the user's different needs into consideration, the services provided will respect the user's identity and cultural background.

72. The education authorities are concerned about the problems of discrimination and are trying to prepare health and social workers to perform in a multicultural society.

73. Prevention of racial discrimination is an integral part of the ordinary tasks of the local administration. The various tasks relating to the settlement of refugees into local communities, including prevention of racism and racial discrimination, are the responsibility of all sectors of the local administration. In relation to this work, the municipalities inform their employees about the Norwegian Government's policy to eliminate racial discrimination. Some municipalities have plans of action to combat racism and racial discrimination.

74. As part of the Plan of Action to Combat Racism and Ethnic Discrimination, a teaching programme, "Norway as a multicultural society", was launched in 1992. The Ministry of Local Government and Labour developed this programme in collaboration with the Directorate of Immigration. For the moment, the teaching material is being offered to all educational institutions and is used in educational institutions for the police, journalists, teachers, customs officers and health and social workers. In the short run the goal is to establish and develop continuing-education programmes for personnel who are in the workforce today. In the long run the aim is to integrate themes associated with the development of Norway as a multicultural society into tertiary education in general. The teaching programme covers the following topics: transcultural communication, discrimination and racism, international migration and Norwegian immigration policy. So far, the programme has been well received by the above-mentioned institutions and a new, revised edition has been published.

75. The labour market administration has been using the teaching programme "Norway as a multicultural society" mentioned above in the training of its employees.

76. The Directorate of Immigration has held several seminars on cross-cultural understanding and communication for public institutions and public authorities, i.e. the Directorate of Customs and Excise, customs officers and educational institutions for the police and customs officers.

Dialogue with the persons concerned

77. The Liaison Committee between Immigrants and Norwegian Authorities (KIM) is an advisory body and a forum for dialogue between representatives of immigrants, including refugees, ministries and political parties, which was established in 1984. With reference to the eleventh periodic report of Norway, paragraph 62, attention is brought to the fact that the committee was established in 1984 and not 1977. A wide range of issues of relevance to immigration and the situation of immigrants who have settled in Norway are discussed or otherwise dealt with by KIM. Issues are raised either by immigrants or by various government bodies. Since 1993, KIM has mainly had the following types of issues on its agenda:

Equal opportunity and discrimination with regard to the labour market and recruitment in the public sector, entry to restaurants, clubs, etc., access to telephone and bank services, freedom of residence, selection to the juror rolls;

Education in a multicultural society;

Crime prevention, both when immigrants are offenders and when they are victims;

Matters of principle arising from the implementation of immigration control and refugee policy, particularly concerning the status of women;

Activities related to youth, particularly a conference for youth of immigrant origin, and participation in the campaign "Youth against racism 95";

A variety of issues referred to KIM by various government bodies seeking the typical viewpoint of immigrants in Norway;

Grassroots mobilization of immigrants and refugees in Norway through regional and nationwide conferences.

78. KIM functions as an advisory body for the Government and provides an opportunity for direct dialogue. This is partly due to the active participation of immigrant representatives and some of the other members.

79. No attempt has been made recently to make a systematic evaluation of KIM or to determine the extent to which the views expressed by KIM have been reflected in actual policy. Such views are among the many aspects that are considered when government policy is devised and implemented. In some cases,

KIM may set the public agenda, which in turn may affect policies. This has to some degree happened when KIM has focused its attention on specific issues, for example discrimination against immigrants as regards access to specific services, or the need for taking crimes committed by and against immigrants seriously. The views of government officials and party representatives are probably influenced indirectly by the personal contact and dialogue taking place in KIM. Thus, it might add a new dimension to the issues under consideration.

80. The present KIM was appointed in February 1996. It has 34 members, of whom 16 represent immigrant organizations from various parts of Norway.

81. The Ministry of Local Government and Labour has meetings with the Anti-racist Centre in order to discuss specific matters and to maintain a dialogue between the authorities and this organization. The relevant ministries are also in contact with the Norwegian Association for Asylum-Seekers (NOAS). However, it is the Ministry of Justice that has the overall responsibility for the Immigration Act and procedures for dealing with applications for asylum, the main subjects that are being discussed between NOAS and the authorities.

82. The Ministry of Local Government and Labour grants financial support to intergrationalist multicultural organizations, and both the Directorate of Immigration and the Ministry have an on-going dialogue with these organizations.

83. In the early 1990s, the Ministry of Local Government and Labour started a dialogue with the Muslim congregations in Norway. This dialogue was extended to a project concerning all the world religions represented in Norway. The project report "A common ethical platform in a multicultural Norway", suggests ways of reaching a mutual understanding and of combating discrimination in this context.

Immigration law

84. As regards the position of foreign nationals reference is made to the eleventh periodic report of Norway, paragraphs 23 to 40.

85. Since the submission of that report, section 3 of the Immigration Act (concerning the entry of foreign nationals into Norway and their presence in the realm), concerning the judicial status of foreign nationals, has been slightly amended. The section now reads:

> "Unless otherwise provided by legislation currently in force, foreign nationals have during their legal stay in Norway the same rights and obligations as Norwegian nationals".

86. It follows from this that foreign nationals staying in Norway and Norwegians have, in principle, equal status. Section 3 does not regulate the judicial status of foreign nationals who are staying illegally in the country. Their position will have to be determined by more specific legislation and may vary from one area to another.

87. Pursuant to section 37, subsection 5, of the Immigration Act, a foreign national may be arrested and remanded in custody if there is reason to suspect that he or she has given a false identity. (Reference is made to the eleventh periodic report, paras. 27-35). The Ministry of Justice continuously evaluates the application of section 37, subsection 5. There is still a continual influx of asylum-seekers whose identity has not been established. However, the police request remand in custody in only a small number of these cases. The total period in custody may not exceed 12 weeks unless there are special grounds. Furthermore, custody may not be used if it would be a disproportionately severe reaction against the foreign national.

88. During the period from 1 October 1993 to 31 March 1996, 144 foreign nationals were held in custody, 34 of them for more than 12 weeks. The average length of detention was 12 weeks. The number of detentions has declined in the past few years. On 30 June 1996, five persons were being held in custody. Only two persons had been held in custody for more than 12 weeks.

Article 2, paragraph 2

The Sami people

89. As regards the Sami people reference is made to the previous periodic reports submitted by the Government of Norway, in particular to the eleventh periodicic report, paragraphs 6 to 22. The following information may be added thereto.

90. The Sami have the same legal rights and the same basic opportunities as all Norwegian citizens. However, the decades of assimilation policy have created a need for certain positive measures. In this respect, Norway has established special legal instruments and special economic measures to enable the Sami people to safeguard and develop their culture, language and way of life.

91. The most important Norwegian legislation that sets out the legal obligation of the State towards the Sami are article 110 (a) of the Constitution, adopted in 1988, and the Act of 12 June 1987 concerning the Sami Assembly and other Sami legal matters.

92. The main purpose of both article 110 (a) of the Constitution and the Sami Act is to make it possible for the Sami people in Norway to safeguard their language, culture and way of life. The main responsibility of the Government is to provide the necessary means whereby this may be done. Norway has also ratified (10 November 1993) the European Charter for Regional or Minority Languages, with respect to the Sami language.

93. The Sami Act establishes the responsibility and powers of the Sami Assembly, procedures for carrying out elections, etc. It also includes provisions concerning the establishment of a Sami linguistic administrative area in which certain rights and obligations concerning the use of the Sami language in public affairs apply.

94. Since 1993 the Sami Assembly has administered all special State funding provided for specific Sami cultural activities. There is an ongoing process whereby duties and authority are being transferred from the State to the Sami Assembly.

95. In addition to acts and regulations the Government of Norway has employed economic instruments in its effort to strengthen Sami culture and society. Approximately Nkr 350 million are allocated each year in direct State support for various Sami activities, institutions, etc.

96. A central consideration is to enable the Sami to assign their own priorities for the development of Sami culture and society. It is the Government's view that the Sami Assembly, which is made up of representatives of the entire Sami population in the country, should carry substantial weight in Sami political matters. The cooperation between the Sami Assembly, and the Government in matters of special interest to the Sami is essential and is given high priority. Thus the Sami Assembly is able to influence both the development and the realization of the Government's Sami policy.

97. As a result of the previous assimilative policy there have been discrimination and stereotypical attitudes towards the Sami, especially in areas where the Sami are a small minority. Because of this, racial/ethnic harassment against the Sami may occur in certain areas.

98. The legal status of the Sami people and the establishment of the Sami Assembly have, however, had a positive effect on the attitude of the general public towards the Sami, and the general understanding of their situation has increased.

99. Another positive effect is the revival of the Sami identity and the use of the Sami language among the Sami people. This also applies in areas, especially along the coast, where the Sami culture and language have been threatened.

100. Pursuant to sections 1 to 3 of the Sami Act, the annual report of the activities of the Sami Assembly is every year submitted by the Government to the Storting (the parliament) as an enclosure to a white paper, with the Government's comments.

101. The Government has decided that a white paper on the general principles underlying Norwegian policy towards the Sami people should be submitted once in the course of each parliamentary term. This first one was submitted in 1993 and included a thorough study of both the legal problems and the special measures designed to strengthen Sami culture. It also outlined the aims and of the Government's Sami policy in the years to come, as well as measures that were to be implemented.

The Finno-ethnic minority

102. The Finno-ethnic minority of Norway, the Kven, is a small minority (approximately 2,000 persons) in northern Norway. Their presence is the result of immigration from Finland over many centuries, mainly since the first part of the eighteenth century. Today very few Kven speak Finnish. There is,

however, a growing interest in learning Finnish in the areas with a Kven population. Finnish is taught in primary schools in these areas if the parents request it. Lately there has been a movement towards a cultural revival among the Kven and they have established their own organization. A newsletter, financed by the Government as a three-year project, is also being published.

The Roma people

103. An evaluation of the special measures and affirmative action financed from State funds showed that this system had a stigmatizing effect owing to the small number of Roma people (approximately 350 persons) in Norway. In accordance with the wish of the Roma themselves, these measures, as well as the advisory group, were discontinued in January 1991.

104. There is no registration in Norway based on ethnicity. For this reason no statistics are available regarding the living conditions of the Roma in Norway.

Immigrant women

105. Norwegian and immigrant women have established groups and centres to inform and counsel immigrant women in Norway about their rights and duties in Norwegian society. Among the groups receiving financial support from the State are Self-Help for Immigrants and Refugees and the MIRA Centre (Resource Centre for Immigrant and Refugee Women). These groups provide women with information and guidance on such issues as work and residence permits, education, matrimonial problems, problems encountered by young immigrant women, etc. They work in close cooperation with the local and central authorities and with other non-governmental organizations in order to help the women who contact them to resolve their problems.

Children

106. As regards children, a plan of action regarding reception of unaccompanied minor asylum-seekers has been developed. Unaccompanied refugees and asylum-seekers who are minors constitute a vulnerable group and the plan is intended to take care of the special needs of this group.

107. In January 1996, the Ministry of Children and Family Affairs presented, together with other relevant ministries, a plan of action for ensuring the equality, integration and full participation of children and youth from refugee or immigrant backgrounds. This plan covers measures regarding leisure and cultural activities, education, child welfare and health. One important objective of the plan is to strengthen education in and knowledge of the Norwegian language among children and youth of immigrant origin. Other important issues it addresses are raising the level of competence in child welfare services and providing information and guidance to parents with immigrant backgrounds on medical matters and other matters relating to the upbringing of their children. Another important issue is that of increasing the integration and participation of children and youth from immigrant backgrounds in leisure activities. All these issues are already an important part of government policy in relation to these groups.

108. The Ministry of Children and Family Affairs administers a separate budget item for projects and activities for children and youth in large towns and cities. When funds are distributed, projects and activities relating to the situation of immigrant youth from Asia, Africa and Latin America are given priority. In order to ensure equal opportunities in education and on the labour market, the Ministry places special emphasis on improving conditions for such immigrants in their leisure time, preventing racial and other discrimination, promoting integration into Norwegian society and improving the situation of immigrant youth.

109. Some examples of measures taken in large towns and cities are assistance and training in doing school homework, summer activities, cooperation with immigrant organizations and leisure activities directed towards promoting integration. The Ministry also supports projects designed to raise the level of competence of staff working with minority children and youth.

Broadcasting in Sami and foreign languages

110. In 1995, the Norwegian Broadcasting Corporation (NRK) broadcast 1,500 hours of radio programmes in Sami, of which 1,359 hours were regional public programmes. In the same period NRK broadcast 27 hours of television programmes in Sami.

111. As of 1 January 1997, NRK will begin to broadcast a weekly television programme for immigrants in Norwegian with programme items in foreign languages. In 1995, NRK broadcast 206 hours of radio programmes in foreign languages (Urdu, Vietnamese, Turkish). This will be somewhat reduced when the above-mentioned weekly television programme for immigrants starts up.

Article 3

112. Both Act No. 15 of 20 March 1987 relating to an economic boycott of South Africa and Act No. 33 of 20 June 1986 relating to prohibition of the sale, negotiating of the sale, etc., of Norwegian petroleum to South Africa were repealed by Act No. 2 of 25 February 1994. Accordingly, there are no longer any Norwegian restrictions on trade with South Africa.

113. South Africa conducted its first democratic election in April 1994 and established a national government of unity. Norway has decided to assist the new South Africa during the five-year transition period in the consolidation of democracy and the establishment of democratic institutions, human rights and the rule of law. The Norwegian contribution per year will be some Nkr 120 million subject to parliamentary consent.

114. As a result of the democratic elections in South Africa and its membership in the SADC as of 1994, the character of the latter has changed. Political and diplomatic cooperation between the members, with South Africa as an equal partner, will in the future be a larger part of SADC cooperation, in addition to collaboration in the economic field. Norway will continue to support the work of the SADC, and the SADC countries continue to be the largest recipients of Norwegian development assistance. The Nordic SADC initiative is currently being reviewed.

Article 4

Subparagraph (a)

115. It should be noted that section 292 of the Penal Code, relating to serious vandalism, was amended by the Act of 7 April 1995, adding racial motivation as an aggravating circumstance when an act of vandalism has been committed. The fact that an act of vandalism has been racially motivated will thus lead to a more severe penalty. As section 292 was amended only recently, its effects are not yet evident. An unofficial English translation of section 292 is enclosed as part of annex 1.

116. As regards the two main provisions on racial discrimination, sections 135 (a) and 349 (a) of the Penal Code, reference is made to Norway's initial, third and fourth reports (CERD/C/R.25/Add.4, CERD/C/R.78/Add.9 and CERD/C/22). There have been no relevant legislative amendments to these two provisions during the period covered by the current report. Nor have there been any amendments to section 232 (reference is made to Norway's eleventh report, para. 51) or section 140 (reference is made to Norway's fourth report). However, for the convenience of the Committee, English translations of all of these sections, as well as sections 324, 325 (see para. 133) below and 330 of the Penal Code (see para. 132 below) are provided in Annex 1.

117. The Director-General of Public Prosecutions has written to all the public prosecutors in Norway requesting a survey of prosecution practices related to section 135 (a) and section 349 (a) of the Penal Code. This survey was initiated because of allegations that the police did not institute criminal proceedings even in cases of obvious violation of these sections of the Penal Code. The survey was carried out between 15 January and 15 April 1994. During this period there were very few reports concerning racially motivated crimes. The Director-General of Public Prosecutions therefore requested the public prosecutors to keep a close eye on how the police dealt with these cases from 15 January to 15 December 1995. The Director-General furthermore asked the public prosecutors to submit copies of the reports made during this period, including the public prosecutors' evaluations and comments on each report. The results of this survey were not available at the conclusion of the preparation of the present report, but the impression gained so far is that the number of reports concerning racially motivated crimes is still low.

118. Experience shows that complaints regarding racially motivated crimes are difficult to investigate and that such cases are often dropped. There has been a distinct reduction in the number of such complaints in the past two to three years. It is unclear whether this reduction is due to a real reduction in racially motivated crime or whether it reflects a lack of confidence in the ability of the police to investigate such crimes. In the interest of uniformity of investigation, cases which previously were dealt with by local police stations in Oslo, are now to be investigated by one central authority, the Aliens Office. The Oslo Police Authority is to draft its own rules of procedure and develop its own routines for these cases. The Aliens Office is the police unit which persons with foreign backgrounds should refer to, as far as racially motivated matters are concerned. It is considered advantageous

that those who suffer racism can turn to a central responsible unit. Reactions to this new system from both individuals and pressure groups have been positive.

119. A 1994 ruling by the Supreme Court illustrates the interpretation of section 135 (a) of the Penal Code. In this case, a 29-year-old man had set fire to a wooden cross, after which he smashed the glass doors of a store belonging to a Pakistan and wrote the words "KKK" and "Pakkis" on the walls. The court said that vandalism combined with such words was an obvious violation of section 135 (a) of the Penal Code and the man was sentenced to 60 days' imprisonment. An English translation of the Supreme Court ruling is provided in Annex 2.

120. A case concerning the relationship between the Penal Code, section 135 (a), and the Constitution, section 100, concerning freedom of speech is scheduled to be heard by the Oslo City Court in the autumn of 1996. The leader of a small but registered political party stands accused of a violation of section 135 (a) on the grounds that the party's programme promotes racial discrimination. The case is likely to go as far as the Norwegian Supreme Court as a case with substantial public interest. This is an indication that the Prosecuting Authority is increasing its efforts to combat racism in general.

121. Section 232 of the Penal Code, according to which racial motivation is an aggravating circumstance in crimes involving violence, has been applied several times. The following summary of three Supreme Court decisions illustrates this.

122. During military service a 24-year-old man was sentenced to 18 days' imprisonment for racially motivated assault (Penal Code, sect. 228 (1), cf. sect. 232). The convicted person had twice during the same night attacked the aggrieved person and knocked his head against the wall while he was showering. While he was doing this he also said "you fucking Negro" and "you take our jobs". In this case, unprovoked violence was combined with racial motivation, and thus the man was given an unsuspended sentence. The ruling is provided in Annex 3.

123. In another case, two 18-year-old men fired a shot at the window of an apartment belonging to an immigrant. The court concluded that such a threat was malicious and the shooting could have caused personal injury. Both men received unsuspended sentences for racially motivated threats. One of them was sentenced to six months' imprisonment and the other to 90 days (cf. Penal Code, sect. 227, cf. sect. 232). The ruling is provided in Annex 4.

124. A 19-year-old man was sentenced to imprisonment for 120 days, 60 of which were unsuspended, for having (together with others) burned a cross at night outside a house where refugees were living with their families, including children. At the same time they had shouted "white power" (Penal Code, sect. 227, cf. sect. 232 and sect. 229). These actions were thus viewed as constituting a threat of the use of violence. The ruling is provided in Annex 5.

125. The Director-General of Public Prosecutions has recently ordered the Prosecuting Authority to prepare an indictment before the court in a case concerning racial agitation (Penal Code, sect. 140, cf. sect. 49). Section 140 concerns the public urging or instigation of the commission of a criminal act. More severe penalties (up to eight years) may be imposed pursuant to section 140 than pursuant to section 135 (a) (up to two years). An indictment was prepared by the Prosecuting Authority on 10 July 1995. The case is to be heard in the Eidsivating Court of Appeal on 25 March 1996.

126. In accordance with the EEA Agreement, Norway is bound to comply with Council Directive 89/552/EEC (the Television Directive). Norway is also a party to the European Convention on Transfrontier Television of 5 May 1989, which includes similar provisions. Both instruments stress that television broadcasters must not in any way incite racial hatred. Norway has undertaken to ensure that all programme services transmitted within its jurisdiction comply with the terms of the Convention and the Directive.

127. Section 135 (a) of the Penal Code applies to national as well as local broadcasters. According to sections 4 and 5 of the Broadcasting Act, the Mass Media Authority is empowered to restrict the retransmission of programmes which Norwegian courts have ruled to be contrary to section 135 (a) of the Penal Code. The Broadcasting Act of 4 December 1992, No. 127 is provided in Annex 6.

128. A Broadcasting Appeals Board has been established to deal with complaints from persons or groups who consider themselves unjustly treated by a national or local broadcaster. No complaints concerning racial discrimination have been registered.

129. Furthermore, the Norwegian Press Association has adopted a code of ethics. On the basis of this code the Press Complaints Commission (PFU) evaluates complaints concerning the press in Norway. (Reference is made to Norway's fifth report CERD/C/50/Add.5/Annexes I and II.)

Subparagraph (b)

130. The Norwegian authorities do not have a complete list of organizations promoting racial discrimination. Such a list might give rise to concern in relation to other human rights and fundamental freedoms, such as freedom of expression, privacy, freedom of religion, etc.

131. As regards prohibition against racist organizations, reference is made to Norway's previous reports, in particular the fourth periodic report (CERD/C/22).

132. There have been no relevant amendments to section 330 of the Penal Code during the period covered by the current report. (Reference is made to Norway's fourth periodic report).

Subparagraph (c)

133. Reference is made to Norway's third periodic report (CERD/C/R.78/Add.9). There have been no relevant amendments to sections 324 and 325 during the period covered by this report.

Article 5

134. Reference is made to Norway's previous reports concerning the rights ensured by article 5, in particular the third report (CERD/C/R.78/Add.9). The following information may be added to that provided therein.

Subparagraph (a)

135. Prior to last year's local elections, the Ministry of Justice issued a directive to all municipalities regarding the selection of jury members. The directive emphasizes that it is of the utmost importance that the lists from which jury members are selected reflect the Norwegian population. Thus persons of different ethnic origins will appear on the list and should also be selected for jury service.

136. Unfortunately, there are no statistics showing the percentage of employees belonging to ethnic minorities who are currently employed in the police force, the prosecuting authorities and the courts. We fear that the number is small, and the percentage is definitely less than the percentage of ethnic minorities in the population as a whole.

137. Measures have been taken to encourage persons with foreign backgrounds to apply for the National Police Academy. Leaflets providing information about the Police Academy have been distributed in many different languages.

138. The Directorate of Customs and Excise is in the process of establishing a programme to recruit officers from especially vulnerable groups. For last year's recruitment of probationary customs officers, the customs districts were asked to consider especially applicants from ethnic minorities.

Subparagraph (b)

139. There is no reason not to believe that persons of minority ethnic and national origin receive equal protection against acts of violence. The Ministry of Justice has close contact with the relevant NGOs and stresses that immigrants and foreign nationals should report any crime or act of discrimination to the police, and that the police should give priority to these cases.

Subparagraph (c)

140. Foreign nationals who have resided in Norway for a period of three years have the right to participate in local and regional elections, to vote and to stand for election on the basis of universal and equal suffrage. If elected, these persons then take part in local and regional government. In some municipalities, for example, the cities of Oslo and Stavanger, immigrants have also been elected to local government.

141. There are no statistics showing the total number of immigrants in local government. The last local elections took place in September 1995. The Directorate of Immigration produced folders in Norwegian and 14 other languages to inform immigrants of election procedures. In addition information was given on radio and television. About 90,000 foreign nationals were entitled to vote in the local elections. For the first time in Norway, immigrants (in Oslo) participated in the elections with their own list of candidates.

Subparagraph (e) (i)

142. When section 349 (a) was inserted into the Penal Code, there was some discussion as to whether the provision should also include discrimination in employment relations. It was concluded, however, that it was not necessary to include this issue in the legislation. As far as we know, it has not been raised again at any subsequent stage. (See para. 150 below for a proposed amendment to sect. 55 (a) of the Working Environment Act.)

143. In the beginning of 1995 the unemployment rate for first generation immigrants from Africa, Asia and Latin America was three to four times as high as the unemployment rate for Norwegians and first generation immigrants from Western countries. In November 1994, the unemployment rate for first generation immigrants was 11.3 per cent and in November 1995 the rate had increased to 11.4 per cent. In the same period, there was a decrease in registered unemployment for the population as a whole. This increase with respect to first generation immigrants is mainly due to an increase in registered unemployment among refugees from Eastern Europe (mainly refugees from Bosnia and Herzegovina). The unemployment rate of immigrants from Africa, Asia and Latin America fell by 0.9 per cent in this period.

144. The labour market situation at the time of arrival has an effect on an immigrant's possibilities of gaining access to the labour market. The unemployment rate was lower among immigrants who arrived in Norway prior to 1988, when Norway experienced a favourable situation on the labour market, than among refugees arriving in Norway in the 1990s. The latter have met an acute labour market situation. While more than 30 per cent of the refugees between 16 and 74 years of age who were settled in municipalities in 1987 were employed after two years, the corresponding number for refugees settled in 1991 was 12 per cent.

145. In general, there is a correlation between the period of residence in Norway and the unemployment rate among immigrants. For immigrants from remote countries, the survey shows even more clearly the link between the period of residence in Norway and the rate of employment.

146. The high unemployment rate among immigrants can be explained by lack of knowledge of the Norwegian language, inadequate arrangements for recognition of education and professional experience and other factors. There is also reason to believe that racial discrimination is a factor that can explain part of the high unemployment rate among immigrants. This is, inter alia, supported by inquiries on attitudes among public and private employers towards hiring immigrants. Even under circumstances where the immigrant's international experience would be of value, employers are sceptical about

recruiting immigrants. The Ministry of Local Government and Labour has commissioned a three-year study on the barriers and processes concerning immigrants and the labour market, as well as a project on the effects of labour market measures on immigrants.

147. An immigrant who has obtained a general work permit has access to vocational training courses arranged by the Labour Market Service. This rule applies if the worker is unemployed, or is in danger of losing his employment. The Norwegian Labour Market authorities arrange courses that are specially adapted to the needs of refugees and migrant workers, for example, with facilities for language training combined with vocational training.

148. Immigrants in Norway (particularly those from Africa, Asia and Latin America) often experience a disparity between their qualifications and their actual opportunities in the labour market. This is partly due to the inadequate arrangements for approval of their educational and professional experience, their lack of knowledge of the Norwegian language, and poorly coordinated vocational and language training by local authorities in order to assist newly arrived immigrants to adjust to the Norwegian labour market. It is also partly due to discrimination. The political aim is to make possible the increased employment of immigrants and to reduce the disparity between their jobs and qualifications.

149. In April 1993, a government committee submitted a plan of action to improve the use of the qualifications of immigrants containing 53 proposals, including measures for approval of education and professional experience obtained in the country of origin, Norwegian language training, improvement of qualifications and self-employment of immigrants. The report also included measures to improve the recruitment of immigrants in the public and private sectors.

150. The Ministry of Local Government and Labour has proposed an amendment to section 55 (a) of the Working Environment Act. The proposal has been sent out for comments to relevant institutions. If passed by the Storting (parliament), the Working Environment Act will include a prohibition against direct or indirect discrimination on the grounds of race, colour of skin or national or ethnic background in connection with appointments. It is further proposed that persons who feel that they are discriminated against because of their race, colour of skin or national or ethnic background should have the right to receive documentation of the formal qualifications of the person appointed. In case of a lawsuit, it is also proposed that the employer should have the burden of proof.

151. There are no available statistics showing the percentage of ethnic minorities in the government sector. The main reason for this is that information concerning religion and ethnic origin is considered sensitive and such variables are therefore not part of our official record.

152. For the same reason there are no statistics available on the ethnic origin of those working at the various levels of the educational system and in the health and social services. Although the Government is unable to provide exact figures regarding minority staff at the various levels of education, it is known that there are few minority teachers in general in this sector. As

for the health and social services, there has been little use of quotas in recruiting minority students to studies in health and social affairs.

153. There are no statistics on the ethnic background of employees in the municipalities. A study carried out by the University of Trondheim shows that only nine of the 156 municipalities taking part in this study have plans of action to recruit immigrants to the local sector. One of these municipalities is Stavanger, which has had such a plan of action since 1993. Tromsø, one of the largest towns in Norway, has now started to develop a similar plan of action. Further, one of the districts in Oslo (Grünerløkka/Sofienberg), where the non-European immigrant population is about 23.8 per cent, has since 1988 had an active recruitment policy with positive results. Today about 16 per cent of the workforce in the district administration is from an immigrant background. The Ministry of Local Government and Labour has commissioned documentation of the work undertaken by this district in order to disseminate the experience to other municipalities.

154. Increased recruitment of immigrants to public sector employment is a goal in the Plan of Action to improve the use of the qualifications of immigrants (see para. 149 above). Measures to remove barriers to the recruitment of immigrants to public sector employment are given priority in the ongoing implementation of this plan.

155. In June 1995 the Directorate of Public Management held a seminar on improved recruitment of immigrants to public sector employment. The target groups for this seminar were leaders and other persons responsible for recruitment in the public sector. The Directorate will cooperate with the Ministry of Local Government and Labour on how best to disseminate information about the competence of immigrants to leaders in the public sector, and suggest ways of removing obstacles in the recruitment process.

Subparagraph (e) (ii)

156. Everyone, of course, has the right without distinction as to race, colour or ethnic origin, to form and join trade unions. There are no reliable statistical data on immigrant participation in trade unions. However, there seems to be a lower degree of participation among immigrants than Norwegians.

157. A Contact Forum between the employers' federations, the main trade organizations and the authorities has been established. Its main objectives are to increase the participation of immigrants in trade unions and put the labour market situation of immigrants on the agenda of these organizations.

158. As a first step to obtaining knowledge about immigrant participation in trade unions, the Directorate of Immigration has financed two studies relating to these questions. One of them deals with trade unions as a factor in improving integration and the other gives examples and evaluates measures that have been implemented to integrate immigrants into trade unions.

Subparagraph (e) (iii)

159. In 1994, a report on the living conditions in Oslo was published. The report concludes that ethnicity is the most important factor underlying differences in the living conditions among the population in Oslo. Only a very small number of immigrants were interviewed in the survey (about 300), which only included Tamils, Chileans and Pakistanis, and it is therefore difficult to generalize concerning the whole immigrant population. In 1995, another report commissioned by the city of Oslo was published on the living conditions among 329 refugees and their families who came to Norway in 1988 or 1989 and who are now living in Oslo. These reports indicate that immigrants from Africa, Asia and Latin America are worse off than Norwegians as regards living conditions in Oslo and document tendencies seen in ongoing studies on living conditions among immigrants.

160. A large-scale study on the standard of living in Norway has recently been conducted by Statistics Norway. In addition to this study, a special study on the living conditions among immigrants is now being conducted. The first reports of this study will be published at the end of 1996.

161. The central housing policies in Norway are tied to loans and subsidies from the Norwegian State Housing Bank. No distinctions are made on the basis of the applicant's ethnic origin or citizenship.

162. In accordance with the Social Services Act, the municipalities are responsible for providing housing to immigrants and other households with special needs who are unable to acquire a dwelling by themselves. The municipalities make this possible by means of loans, grants and housing subsidies from the Housing Bank, as well as municipal rental dwellings. Refugees are given priority in the allocation of selective loans and grants given by the municipalities. The Housing Bank fully finances dwellings for refugees, with a 30 per cent housing subsidy and a 70 per cent loan with favourable interest rates and down-payment conditions.

163. The municipalities have a large degree of freedom in establishing rules and principles concerning their housing policy. These rules and principles must not, however, be in conflict with Norwegian law; for example, they must not discriminate against immigrants. The municipalities are therefore not allowed to consider applicants' citizenship or period of residence in the municipality when allocating State loans and subsidies to applicants who wish to acquire a dwelling in the municipality. Such requirements would be a breech of the rules and regulations applying to the allocation of State loans and subsidies.

164. A separate legal prohibition against racial discrimination in connection with the renting or purchasing of a dwelling is under consideration.

165. Persons seeking asylum in Norway are required to stay in a State reception centre until their application for asylum has been processed or collective protection has been granted. During the stay in a reception centre, their basic needs are cared for. Special housing facilities are provided for single female asylum seekers, with or without children.

Subparagraph (e) (iv)

166. All legal residents in Norway are entitled to social services and social economic assistance, when certain criteria relating to need are fulfilled. The Ministry of Health and Social Affairs has no special schemes or provisions for ethnic minorities.

167. The Ministry of Health and Social Affairs has initiated and/or financed studies on how to solve problems faced by people of different ethnic origin. The studies include active integration efforts. The results of such studies are made available to the relevant health and social services, with the intention of stimulating the development of new types of services and improving existing services.

Subparagraph (e) (v)

168. Acts and regulations in the field of education ensure that all legal residents of Norway have equal rights to education and training.

169. The State provides grants for bilingual assistants in child-care institutions where there are children whose native language is not Norwegian.

170. The municipalities have to provide instruction in the child's first language, i.e. mother tongue instruction, as well as Norwegian as a second language for bilingual minority pupils. Children belonging to minority groups have the same opportunities, rights and obligations as their fellow pupils whose mother tongue is Norwegian.

171. According to a survey of school leavers conducted by Statistics Norway in 1991, 1993 and 1994, the proportion of immigrant pupils who discontinue their education after lower secondary school is greater than among Norwegian pupils. First generation immigrants showed a greater tendency to discontinue their education than all other groups of pupils. It remains to be seen whether there will be any improvement as a consequence of a new reform that entitles pupils to three years of secondary education (see below).

172. Following the reform of upper secondary education from August 1994, Reform 94, all pupils aged 16 to 19 are entitled to three full years of secondary education. The regional authorities are also obliged to provide educational opportunities for adults. Schools may offer various forms of adapted courses for pupils who are not fluent in Norwegian. Pupils may choose to take an examination in their mother tongue rather than in another foreign language. A course in Norwegian as a second language is also offered.

173. The consequences of Reform 94, with special reference to immigrants, can be summarized as follows:

> All persons who have basic schooling corresponding to nine years of Norwegian elementary and lower secondary school and have residence permits may be admitted to upper secondary education. There is no requirement that the pupil must have sufficient knowledge of Norwegian before being admitted. Immigrant applicants under the age of 20 who need specially adapted classes because of language problems may receive

up to five years of schooling (or education until they are 22 years old) at this level.

The State offers special financial support for extra language classes for immigrant and Sami pupils. This support may be used for extra classes in Norwegian or in the minority language, for a two-teacher model or for the establishment of separate classes for minority pupils. Experience shows that very little of this support goes towards the last two alternatives mentioned, partly because there are few bilingual teachers in upper secondary schools, but also because there are seldom large enough groups to justify separate classes for minority pupils.

Foreign language students may take school-leaving examinations in their mother tongue as their second or third language. The advantage of this is that minority languages are given higher status and that the pupils' existing skills are utilized.

174. Entrance requirements for institutions of higher education ensure minorities the right to equal access. At some institutions, such as at the University of Tromsø, there are quotas for Sami applicants.

175. Adults have no statutory right to education, with the exception of adults of the Sami population and adults with special educational needs. However, it is implicit in the system that it is the task of the municipalities to encourage minority groups to seek education. Although the municipalities have no legal obligation to offer courses, all municipalities offer such courses, either on their own or in cooperation with neighbouring communities.

176. A government-appointed commission, set up to examine the education and training of minority groups at all levels of education, presented a report to the Ministry of Education in February 1995. This report gave an overview of the main challenges faced in the field of multicultural education and presented a number of recommendations regarding possible policy measures to deal with these issues.

177. This report is now being discussed. In the coming period the Ministry of Education will take into consideration the recommendations made by the Commission. By the end of the year the Ministry of Local Government and Labour will put forward a white paper on immigration (see para. 26 above), in which some of the recommendations will be considered.

Article 6

178. Reference is made to the information provided under Article 4 of this report concerning legislative protection against discriminatory action.

179. All public authorities and bodies, including the courts, are obliged to take into account the equality under the law of all persons regardless of their ethnic, racial, cultural or national origin. (Reference is made to Norway's third periodic report (CERD/C/R.78/Add.9).)

180. There have been no cases in Norwegian courts where an applicant has claimed that an administrative decision was invalid on the grounds of racial discrimination. However, a case has been submitted to the European Commission of Human Rights. With reference to article 1 of Protocol No. 1 to the European Convention on Human Rights, the Skolte Sami population complained that their right to keep reindeer in the Neiden district in the northernmost part of Norway was not respected by the Norwegian authorities. They complained that others now have the right to keep reindeer in the area where they have had exclusive rights for centuries. The applicants also claimed that they had been discriminated against and in this context invoked article 14 of the Convention in conjunction with articles 6 and 1 of Protocol No. 1. They also claimed that the restrictions on their right to keep reindeer violated article 8 of the Convention as reindeer husbandry is closely connected with their culture and way of life. The appeal was dismissed by the Commission on 8 January 1993. A copy of the decision of the Commission is provided in Annex 7.

181. The Ombudsman has not received any complaints concerning racial discrimination by the public authorities for the period covered by the present report.

182. The Ministry of Local Government and Labour is considering the feasibility of creating a national institution against racism and racial discrimination.

Article 7

Education and teaching

183. In accordance with the Core Curriculum for Primary, Secondary and Adult Education, teaching should counteract prejudice, racism and discrimination, promote mutual tolerance between groups with different lifestyles and train students to work together with different individuals and groups.

184. Knowledge about the background of immigrant groups is included in various syllabuses at different levels of the school system. Educational material to help to combat xenophobia and racism has been developed.

185. The Government of Norway has recently launched several campaigns against racism and prejudice in primary and secondary schools. The most important campaigns in which the education sector has been involved are the following:

A national youth campaign against racism launched in 1993 as a follow up to the European summit in Vienna in October 1993. Schools were asked to include special themes related to racism as part of the activities at school, material was later distributed to schools with a plea to teachers and parents to be active in combating racism.

A national action plan to combat violence launched in 1994 focused on racism as one of the problem areas.

A Government plan of action to combat racism in the media was launched in 1995, and the education authorities are participating in planning relevant activities within the educational sector.

As a part of the national commemoration of the end of World War II in 1995, an information package was offered to all schools which included material about racism and the dangers of racist propaganda. This material is also intended for future use in the teaching of related subjects.

186. Schools often provide information about the background of immigrants and ethnic minorities, including their culture and language. As part of the Ministry of Education's plan for internationalization, a guide and handbook on using pupils of different national origin as a resource in schools have been published and distributed to all upper secondary schools. Some related topics are also included in the curriculum of various programmes.

187. In accordance with the provisions of the Adult Education Act, non-governmental organizations arrange courses to combat racism and ethnic discrimination, and disseminate positive and correct information about our immigrant population. They also arrange cross-cultural activities to facilitate the integration process.

188. Research projects regarding immigrants, racism and ethnicity are in progress at universities, colleges and in a number of research institutes. This includes research on, inter alia, education, language, religion, the migration process, health and social welfare. Such research is financed by various ministries, municipalities, The Research Council of Norway or by the institutions themselves.

189. Reference is made to the information provided in the present report under article 2 concerning educational measures for combating racial discrimination by public authorities and public institutions (see paras. 51-76 above).

Culture

190. The focus on sports is an especially interesting cultural phenomenon in Norwegian society. No other activity attracts the interest and support of more people across established social structures and cultural dividing lines. Sports activities help to integrate people, and bring enjoyment and inspiration to participants and spectators alike. In addition, such activities yield health-related and other benefits to individuals and society.

191. In the light of this, the Ministry of Cultural Affairs has contributed to the launching of two major projects to combat racism through sports.

192. In 1990 a project called "Colourful Sport" was launched in collaboration with the Directorate of Immigration, the Norwegian Confederation of Sports, various immigrant organizations and the Norwegian Volleyball Federation. The objective of this project was to involve more immigrants in sports and encourage them to participate in sports activities. The project showed that many immigrants developed a multiracial social network through their

participation in sports activities. Sports are thus important in the promotion of social integration of immigrants, including immigrant women.

193. In 1993 "Colourful Sport" was integrated into a new project called the "Big-city Project", which is aimed at special target groups, primarily children and youth, who represent a challenge in urban areas. The project has been implemented in the cities of Oslo, Bergen, Trondheim and Stavanger, and also includes the suburban areas of Oslo.

194. Project funds are administered by sports organizations, which set up their programmes in cooperation with the relevant local authorities. The Ministry of Cultural Affairs and the Norwegian Confederation of Sports act as coordinators. Some of these programmes are designed specifically to integrate immigrants into Norwegian sports activities.

Information

195. The Government considers information activities and public relations to be extremely important in combating all forms of racial discrimination. The Directorate of Immigration plays a key role in these efforts. One of the objectives is to promote positive relations between Norwegians and immigrants.

196. The Directorate of Immigration has both initiated and supported various activities and campaigns. In addition, a range of information activities and information material have been developed for use in attitude-shaping campaigns. The objectives are to enhance knowledge and increase the activities of the various organizations and societies at the local level, thus contributing to greater understanding and peaceful coexistence between immigrants and Norwegians.

197. The main target group for these activities and campaigns has been young people, mainly outside school. However, recently efforts have also been made to reach young people through their school activities.

198. The Directorate's attitude-shaping information activities are mainly based on a network strategy, using existing social networks as well as networks consisting of organizations and their individual members.

199. In December 1992, the Prime Minister initiated a Youth Campaign against Racism, Intolerance and Xenophobia in Norway, which was headed by the leaders of all the political youth organizations, ranging from left to right. The concept was that political messages to young people are most effective when they come from youth leaders themselves. The political youth organizations were therefore given the task and financial resources to formulate and run a campaign directed towards youth in the whole of Norway. Several activities, such as a "tour against racism" and an information campaign, took place in 1994. The Government allocated Nkr 10 million for the project.

200. The 1994 national youth campaign provided a good basis for preparing for the Youth Campaign of the Council of Europe, "All different - all equal", which took place in 1995. A number of local committees have been established in order to combat racism and an "anti-racist network" has been established by the Anti-racist Centre.

List of annexes and comments by non-governmental organizations

Annexes

Annex 1 English translations of relevant sections of the General Civil Penal Code of Norway

Annex 2 Court order of 10 June 1994 in Case No. 75 B/1994 - The Norwegian Supreme Court

Annex 3 Court order of 20 August 1992 in Case No. 123 B/1992 - The Norwegian Supreme Court

Annex 4 Judgment of 24 August 1994 in Case No. 74/1994 - The Norwegian Supreme Court

Annex 5 Court order of 22 December 1994 in Case No. 177 B/1994 - The Norwegian Supreme Court

Annex 6 Unofficial translation of the Broadcasting Act of 4 December 1992, No. 127

Annex 7 Decision of the European Commission of Human Rights of 8 March 1993

Comments by non-governmental organizations

Comment 1 Norwegian Association for Asylum Seekers, the Anti-racist Centre, and the Contact Committee for Immigrants and Norwegian Authorities

Comment 2 The Association against Public Discrimination

Comment 3 Institute of Human Rights